

## Message Text

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ACTION L-03

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E.O. 11652: NA

TAGS: UNGA

SUBJECT: COMITE 6 - REPORT OF ILC

FOLLOWING DRAFT RESOLUTION CIRCULATED OCT 9 BY ARGENTINA,  
AUSTRALIA, ECUADOR, FINLAND, GREECE, INDONESIA, KENYA,  
MEXICO, NETHERLANDS, THAILAND, URUGUAY AND YUGOSLAVIA.

TEXT IS RESULT CONSULTATION AMONG THESE AND OTHER STATES  
AND CONSEQUENTLY APPEARS HAVE BROAD SUPPORT.

QUOTE THE GENERAL ASSEMBLY, HAVING CONSIDERED THE REPORT  
OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS TWENTY-  
FIFTH SESSION,

EMPHASIZING THE NEED FOR THE FURTHER CODIFICATION AND PRO-  
GRESSIVE DEVELOPMENT OF INTERNATIONAL LAW IN ORDER TO MAKE  
IT A MORE EFFECTIVE MEANS OF IMPLEMENTING THE PURPOSES  
AND PRINCIPLES SET FORTH IN ARTICLES 1 AND 2 OF THE CHARTER  
OF THE UNITED NATIONS AND TO GIVE INCREASED IMPORTANCE  
TO ITS ROLE IN RELATIONS AMONG STATES,

TAKING NOTE OF THE DRAFT ARTICLES PREPARED BY THE INTERNATIONAL  
LAW COMMISSION ON STATE RESPONSIBILITY, SUCCESSION OF STATES  
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IN RESPECT OF MATTERS OTHER THAN TREATIES AND THE MOST-

FAVOURED-NATION CLAUSE,

WELCOMING THE DECISION OF THE INTERNATIONAL LAW COMMISSION  
TO GIVE PRIORITY AT ITS TWENTY-SIXTH SESSION TO SUCCESSION  
OF STATES WITH RESPECT TO TREATIES,

WELCOMING THE DECISION OF THE INTERNATIONAL LAW COMMISSION  
TO GIVE FURTHER CONSIDERATION TO PROPOSALS AND SUGGESTIONS  
MADE IN COMMEXION WITH THE REVIEW OF THE COMMISSION'S  
LONG-TERM PROGRAMME OF WORK ON THE BASIS OF THE "SURVEY OF  
INTERNATIONAL LAW" PREPARED BY THE SECRETARY-GENERAL,

NOTING WITH APPRECIATION THAT PARAGRAPH 175 OF THE REPORT  
OF THE INTERNATIONAL LAW COMMISSION STATES THAT SPECIAL ATTENTION  
WAS GIVEN TO THE NEED TO TAKE A FORMAL DECISION ON THE COMMENCE-  
MENT OF WORK ON THE TOPIC OF THE LAW OF THE NON-NAVIGATIONAL  
USES OF INTERNATIONAL WATERCOURSES, IN CONFORMITY WITH GENERAL  
ASSEMBLY RESOLUTIONS 2669 (XXV), 2780 (XXVI) AND 2926 (XXVII),

1. TAKES NOTE OF THE REPORT OF THE INTERNATIONAL LAW COMMISSION  
ON THE WORK OF ITS TWENTY-FIFTH SESSION;

2. EXPRESSES ITS APPRECIATION TO THE INTERNATIONAL LAW COMMISSION  
FOR THE WORK IT ACCOMPLISHED AT THAT SESSION;

3. RECOMMENDS THAT THE INTERNATIONAL LAW COMMISSION SHOULD:

(A) COMPLETE AT ITS TWENTY-SIXTH SESSION IN THE LIGHT OF  
COMMENTS RECEIVED FROM MEMBER STATES THE SECOND READING  
OF THE DRAFT ARTICLES ON SUCCESSION OF STATES IN RESPECT OF  
TREATIES ADOPTED AT ITS TWENTY-FOURTH SESSION,  
(B) CONTINUE ON A PRIORITY BASIS AT ITS TWENTY-SIXTH SESSION  
ITS WORK ON STATE RESPONSIBILITY, TAKING INTO ACCOUNT THE VIEWS  
AND CONSIDERATIONS REFERRED TO IN GENERAL ASSEMBLY RESOLUTIONS  
1765 (XVII) OF 20 NOVEMBER 1962, 1902 (XVIII) OF 18  
NOVEMBER 1963, 2400 (XXIII) OF 11 DECEMBER 1968 AND 2926  
(XXVII) OF 28 NOVEMBER 1972, WITH A VIEW TO THE PREPARATION  
OF A FIRST SET OF DRAFT ARTICLES ON RESPONSIBILITY OF STATES  
FOR INTERNATIONALLY WRONGFUL ACTS AND UNDERTAKE A SEPARATE AND  
POSSIBLY SIMULTANEOUS STUDY OF THE TOPIC OF INTERNATIONAL  
LIABILITY FOR INJURIOUS CONSEQUENCES ARISING OUT OF THE  
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PERFORMANCE OF OTHER ACTIVITIES,  
(C) PROCEED WITH THE PREPARATION OF DRAFT ARTICLES ON SUCCESSION  
OF STATES IN RESPECT OF MATTERS OTHER THAN TREATIES, TAKING INTO  
ACCOUNT THE VIEWS AND CONSIDERATIONS REFERRED TO IN THE  
RELEVANT RESOLUTIONS OF THE GENERAL ASSEMBLY,  
(D) PROCEED WITH THE PREPARATIONS OF DRAFT ARTICLES ON THE MOST-  
FAVOURED-NATION CLAUSE,  
(E) CONTINUE ITS STUDY OF THE QUESTION OF TREATIES CONCLUDED

BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN TWO OR MORE INTERNATIONAL ORGANIZATIONS;

4. RECOMMENDS FURTHER THAT THE INTERNATIONAL LAW COMMISSION SHOULD AT ITS TWENTY-SIXTH SESSION DECIDE TO COMMENCE ITS WORK ON THE LAW OF THE NON-NAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES BY ADOPTING THE PRELIMINARY MEASURES PROVIDED FOR IN ITS STATUTE;

5. APPROVES THE PROGRAMME OF WORK PLANNED BY THE INTERNATIONAL LAW COMMISSION FOR 1974 AND THE REQUEST FOR A 14 WEEKS' SESSION;

6. REQUESTS THE SECRETARY-GENERAL TO COMPLETE THE SUPPLEMENTARY STUDY ON THE LEGAL PROBLEMS RELATING TO THE NON-NAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES REQUESTED BY THE GENERAL ASSEMBLY IN RESOLUTION 2669 (XXV) OF 8 DECEMBER 1970, IN TIME TO SUBMIT IT TO THE INTERNATIONAL LAW COMMISSION BEFORE THE BEGINNING OF ITS TWENTY-SIXTH SESSION;

7. EXPRESSES THE WISH THAT, IN CONJUNCTION WITH FUTURE SESSIONS OF THE INTERNATIONAL LAW COMMISSION, OTHER SEMINARS MIGHT BE ORGANIZED, WHICH SHOULD CONTINUE TO ENSURE THE PARTICIPATION OF AN INCREASING NUMBER OF JURISTS OF DEVELOPING COUNTRIES;

8. REQUESTS THE SECRETARY-GENERAL TO FORWARD TO THE INTERNATIONAL LAW COMMISSION THE RECORDS OF THE DISCUSSION ON THE REPORT OF THE COMMISSION AT THE TWENTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY. UNQUOTE  
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